

DISTRICT OF SOUTH DAKOTA

NORTHERN DIVISION

\* \* \* \* \*

In re: Case #04 - 10273

BERWALD PARTNERSHIP, Chapter 11  
dba BERWALD BROTHERS,

dba BERWALD DAIRY,  
dba C&M DAIRY, and  
dba SOKOTA DAIRY, **APPLICATION FOR EMPLOYMENT  
OF ATTORNEY**

Debtor.

\* \* \* \* \*

Debtor makes application pursuant to 11 U.S.C. §327(a) and Bankruptcy Rule 2014(a)  
for an order approving the employment of an attorney to represent Debtor in carrying out the  
Debtor's duties under Title 11 U.S. C., said application being predicated upon the following:

1. That on August 23, 2004, Debtor filed a Chapter 11 petition in bankruptcy and  
needs an attorney to assist it.
2. The law firm to be employed as of August 23, 2004, is Stuart, Gerry &  
Schlimgen, Prof. LLC.
3. The reason for this selection is that the firm has been recommended to Debtor as a  
firm which deals in bankruptcy and related legal services.
4. The professional services to be rendered include filing such schedules and other  
documents as the Court may require, initiating or defending adversary proceedings and contested  
motions, negotiating with priority, secured and unsecured creditors, formulation of a plan, and

5. To the best of applicant's knowledge, the law firm has no connection with an adverse interest to Debtor, any creditors, or any other party in interest, including any creditors' respective attorneys and accountants, the United States Trustees, or any person employed in the Office of the United States Trustee.

6. Proposed arrangement for compensation is as follows:

a. The law firm will bill for services of Clair R. Gerry at the rate of \$180.00 per hour, plus sales tax, and for the services of Laura L. Kulm Ask at the rate of \$100.00 per hour, plus sales tax; actual necessary expenses are to be reimbursed. These rates may change from time to time in accordance with the firm's established billing practices and procedures.


b. Payment for services and reimbursement for expenses including the advance retainer shall conform with 11 U.S.C. §§328, 329, 330, and 331.

**WHEREFORE**, Debtor makes application as aforesaid.

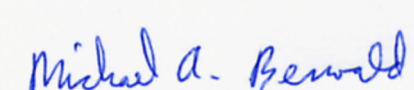
Dated this 23<sup>rd</sup> day of August, 2004.

BERWALD PARTNERSHIP

By:

  
Calvin Berwald, Partner

By:

  
Michael Berwald, Partner